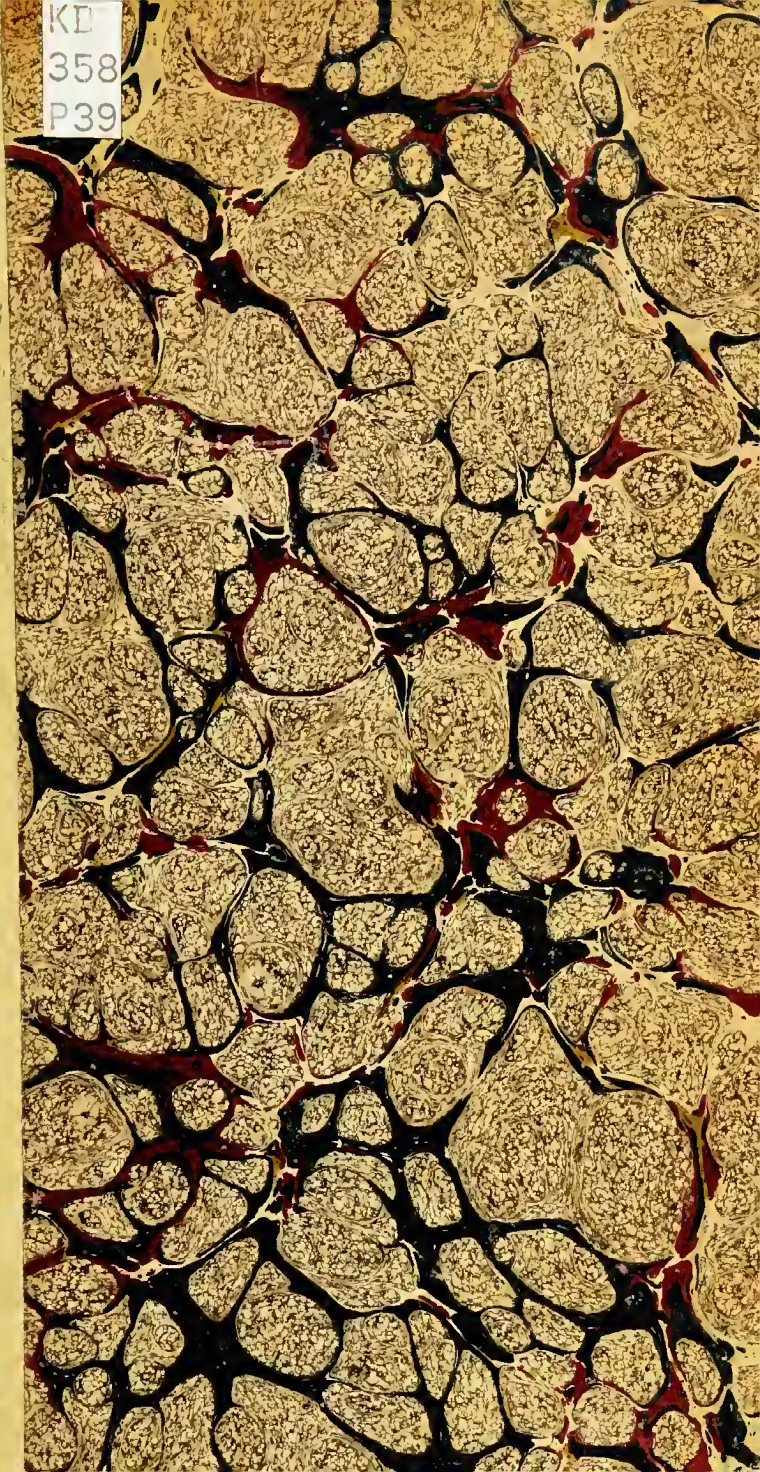
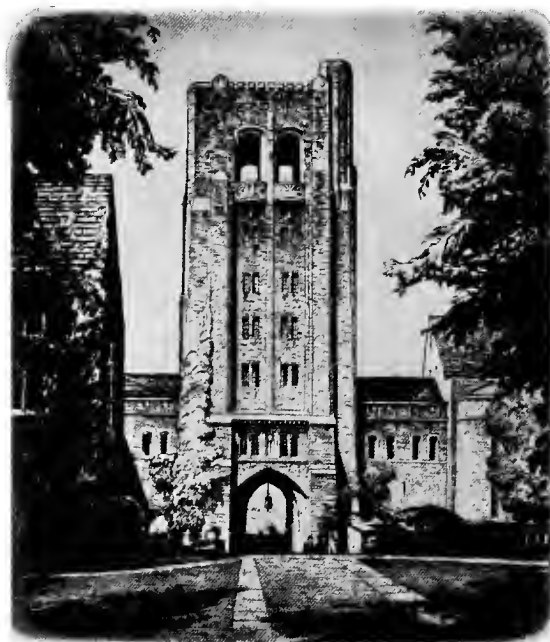


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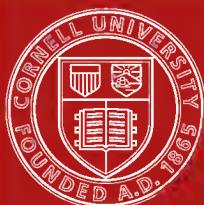


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Pen and Ink Sketches In Chancery.

BY

A LOUNGER IN THE COURTS.

No. 1.

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THE LOUNGER.

LORD JUSTICE SIR HUGH CAIRNS (at the Bar).

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W. T. S. DANIEL, Q.C.

G. M. GIFFARD, Q.C.

W. M. JAMES, Q.C.

J. W. WILLCOCK, Q.C.

LONDON:

WILLIAM AMER, LAW BOOKSELLER & PUBLISHER,

LINCOLN'S INN GATE, CAREY STREET, W.C.

PEN AND INK SKETCHES
IN CHANCERY.

BY

A LOUNGER IN THE COURTS.

No. 1.

[To be continued.]

LA 1836
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INN FIELDS.

P R E F A C E.

I AM one of those wretched outcasts styled bachelors, living upon my means. Of course, I have had numerous opportunities of forming a matrimonial alliance—who has not? But then, I am comparatively poor, and can boast no longer line of ancestors than I can trace back, with a good many missing links, to that grand old gardener and his wife who are supposed to smile at the claims of long descent. My income, like some of the new joint-stock companies, is “limited.”

I never had shares but in one company, which purchased from a certain patentee a most invaluable invention for blowing bubbles. But, singularly enough, the public, who like such things generally, did not appreciate the company of which I was appointed the Secretary (to

qualify myself for which post, by the way, I took shares to the extent of £500), with a prospective salary of £300 per annum. I say “prospective” advisedly, because before my first quarter’s salary became due, the Company—represented by the promoter (and several Directors on paper) who gave his address as “Creeper Cottage, Shallow Vale, Diddlesex,” was in difficulty; and, at the expiration of six months, if the Company was a reality at all, I was its sole embodiment; in which condition I found myself compelled, in order to avoid a martyrdom of litigation, to pay the rent of the furnished offices which had been taken by the promoter in the name of the company, which promoter placed himself somewhere—I can’t tell you where—in voluntary exile; and I have

PREFACE.

never since heard of him from that day to the present. But I have no doubt he is following some equally lawful calling as that by which I was induced by him to part with my £500 for the very lucrative appointment which was the consideration for the advance.

I have told thus much of my personal history; because ever since the termination of my connection with the company, living on—I won't say what floor—in Palgrave Place, Temple Bar, I have had an insane yearning to spend a good deal of my time as a loungeur in the Courts of Chancery, where I have listened, with the avidity of a monomaniac, to any case in which a promoter has figured; and I can

assure you, from what I have gathered, those gentlemen seem, during the past two or three years, to have been as busy as an individual, whom it is not necessary to particularise, is generally described by sailors to be in a gale of wind. I have not yet met with *my* promoter; but, perhaps, if I act upon the principle of the man who went every night to see Van Amburgh put his head into the lion's maw, because he was sure he would one day lose it, I may be equally rewarded for my pertinacity.

But there are certain traits of certain people, of which, like a well-known character in a popular story, I have made notes; and these I shall proceed to give.

PEN AND INK SKETCHES

IN CHANCERY.

No. 1.

I. As I cannot tell everything at once, suppose I commence with the Court in which, when I enter, I see a somewhat spare man sitting upon the Bench, whom I know to be one of the Vice-Chancellors. By the side of him is a small table upon which lay his three-cornered hat. I never saw him wear it, and I have a notion that he never does. In fact, I don't think it would be either becoming or comfortable. Before him is a desk, upon which there is a book interleaved with blotting-paper; but his Honour makes few notes, and when he does, he scarcely leans forward to do so, but holds his quill pen almost at arm's length.

He sits usually cross-legged, with his hands upon his knees, and is an attentive listener to the counsel addressing him, to whom he puts few questions; for he is able to arrive at the pith and marrow of an argument at once. He will sometimes stop a learned gentleman whilst reading a portion of a correspondence, or an affidavit, by telling him that it has been already read. He seems to have a remarkably retentive memory; and never forgets what he has once heard. The forehead is high, prominent, and overhanging; and the eyes are deeply set. He makes no display of learning; but when a case call-

ing it forth occurs, you are charmed with the purity of his pronunciation in either the dead or continental languages. His English elocution is by no means of the highest order : it is rapid and disjointed. When delivering judgment, you might be led at first to suppose that he had not sufficiently mastered the subject ; but you are quickly undeceived ; for, by the time it is concluded, there is no rag of it left. His ideas flow so rapidly, that before he has fairly given expression to one thought, another has presented itself ; and this accounts for the somewhat disconnected manner in which he expresses himself, and which engenders in the mind a feeling of regret that so masterly a decision is not couched in more graceful phraseology.—SIR WILLIAM PAGE WOOD, VICE-CHANCELLOR.

II. But now let me glance at the Queen's Counsel, as I take my usual position under the clock. The first rises. He has a peculiar

waive of the hand, and always looks towards the Judge aslant. He speaks low ; so low that I, who am near him, can scarcely hear what he says. When interrupted, he leans backward and gives the interjector the full length of his tether. There is no energy or animation. His sentences are remarkable for brevity. He has got up his points, he has concentrated his thoughts, and seems to eschew all elaboration. I have never seen him in the least in earnest ; but, nevertheless, he commands attention from the Judge and his opponents too.—MR. GIFFARD, Q.C.

III. Another rises. He is stouter, and his very profile and attitude tell you that he is a man of indomitable will. His voice is stern, and not remarkable for melody ; but it is deep, and when he throws fervour into his cause, I have felt him to be powerful in appeal ; and that he could, if the need arose, move the passions to fluctuation. He has a habit when desiring to

rivet the attention of the Judge upon some point of detail, to rest his arm upon the table before him, lean upon his elbow, bend forward and tap the thumb on the left hand with the forefinger of the right. He is exceedingly pertinacious in argument, and gives you the impression that the man is resolved to succeed, if possible. He has risen from the ranks.—MR. DANIEL, Q.C.

IV. I now catch a glimpse of a good-humoured smiling face, with a healthy, fresh-colored hue. It is that of a man inclined to corpulency; a Vice-Chancellor of one of the Duchies. He speaks with excessive rapidity and a little hesitation; and rarely completes a sentence. His elocution may be described as "choppy; but he is no doubt a clever man." He has scarcely any action except an occasional slight elevation and depression of the right hand. When addressing the Judge, he looks straight towards him, and seldom

speaks at great length. In the recent *cause célèbre* of *Colenso v. Gladstone*, his reply was a marvel of succinctness.—MR. W. M. JAMES, Q.C.

V. But I observe a well-known, pale meditative countenance, and recognize the steel spectacles. The voice, too, is familiar. There is a sweetness about it, and it reminds me of the tones of the late president of the Wesleyan Conference, Dr. Osborn, to whom I once heard a literary friend say he should never tire of listening. His opponent has objected to a cause or motion standing over, and has alleged that the object is delay. He is animated; he raises his well-formed right hand, which is midway between open and clenched; he brings it into the palm of his left with vigour, and assures his adversary that the matter will come on quite quickly enough for him, for the result will be that he will fail, and have to pay the costs. He is, occasionally, a little petulant, but

native of that isle which is "First flower of the earth, and first gem of the sea." He represented an Irish constituency; he filled a leading position at St. Stephen's, and always commanded the attention of the House. Of him Lord Derby once said that any Government would be glad to have his support as a debater. He was Solicitor-General when the Conservatives were last in power; and if his health do not fail him, he may look forward to the day when he shall be rewarded with the highest professional honors. He is now one of the Lords Justices of Appeal.—
SIR HUGH CAIRNS, L.J.

VII. The next Queen's Counsel who secures my attention is a man of short stature and stout build, with a moderate amount of grey whisker and beard, and a shirt-collar carelessly turned down. He is the very antithesis of him who sits by his side, for he, to all outward appearance, is about as mindful of his toilet as of the

mongrel whelp which, at the time he is speaking, is dodging its way among the crowd of omnibuses and cabs that are drawling through Temple Bar. He makes no pretensions to eloquence, and his voice and mode of delivery are not altogether pleasing. But, notwithstanding the competition to which he and all others are subjected, especially in the Court where he practises, he maintains his position; and, judging from a somewhat lengthened observation, I should say loses no ground. I understand he is considered by the profession generally to be a subtle and astute lawyer; that upon difficult points of construction his opinions are highly valued, and his practice at Chambers is consequently very extensive.—MR. WILLCOCK, Q.C.

VIII. The last of those "Her Majesty has been pleased to appoint as one of her Counsel learned in the law" whom I shall notice in this branch of the Court of Chancery, is a man whom I

remember well behind the bar, when he had an excellent practice; and whilst in that position, I have more than once heard him complimented by an able Judge who sat in one of the Appellate Courts. His presence is commanding, his voice good, and no objection can be raised to his elocution. He appears to take great pains to make himself master of any case in which he is engaged; for he has evidently read his papers with

care and attention, and transmitted the dates and leading facts in a species of synopsis to paper, to which he frequently refers. Since he has been made a Q.C. his business has not been extensive; but time and patience wear away the rock, and he is not the first who has had to wait for that "tide in the affairs of men, which, taken at the ebb, leads on to fortune."—
MR. AMPHLETT, Q.C.

(To be continued.)

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Pen and Ink Sketches In Chancery.

BY

A LOUNGER IN THE COURTS.

No. 2.

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THE LOUNGER'S CONFESSION.

LORD ROMILLY, MASTER OF THE ROLLS.

R. BAGGALLAY, Q.C., M.P.

G. JESSEL, Q.C.

C. J. SELWYN, Q.C., M.P.

T. SOUTHGATE, Q.C.

EDMOND BEALES, M.A.

LONDON:

WILLIAM AMER, LAW BOOKSELLER & PUBLISHER,
LINCOLN'S INN GATE, CAREY STREET, W.C.

PEN AND INK SKETCHES

IN CHANCERY.

BY

A LOUNGER IN THE COURTS.

No. 2.

"A note informs us that these 'Pen and Ink Sketches in Chancery' are to be continued. They are light, humorous, and sometimes too satirical for our own taste; but clearly they are the result of long observation, and are, what they profess to be, 'Sketches from life.'"

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WILLIAM AMER, LAW BOOKSELLER & PUBLISHER,
LINCOLN'S INN GATE, CAREY STREET, W.C.

London :

DIPROSE, BATEMAN & Co., PRINTERS, 9 & 10, SHEFFIELD STREET, LINCOLN'S
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P R E F A C E.

TO MY READERS—

When I announced, upon the issue of No. 1 of these Pen and Ink Sketches, that they would be continued, I confess that information was given with a mental reservation; the continuation depending solely upon the success of the first effort. I have not employed a City firm of accountants to make a return of the number delivered from the Printers, in order that, like some of the Daily Journals with "the largest circulation in the world" (see advertisements everywhere), I might publish the statement thus furnished; but I can truly say that I have sold many more of No. 1 than I anticipated I should do, when I entered upon the hazardous pecuniary speculation of which No. 2 of "Pen and Ink Sketches" forms the second stage. I, therefore,

following the example of my betters, tender my thanks to "a discerning public," for the patronage hitherto so largely bestowed, and beseech a continuance of it.

I should like, however, to get rid of an erroneous impression under which I fear some people labor. Whilst engaged in taking my observations and noting them in my mind for reproduction here, I have once or twice heard a little quiet speculation going forward among that highly useful class, who were so much eulogized by Mr. Justice Lush at the Annual Festival of the Law Clerks' Society, as to who the "Lounger" could possibly be. And one witty young gentleman hinted that I was probably that sleek individual who has upon several occasions escaped detection in giving practical proof of his utter indiffer-

PREFACE.

ence to the distinction, so difficult of comprehension, which there is between *meum* and *tuum*; and laboring under the disease now termed Kleptomania, has unthinkingly appropriated to himself other folks' hats, coats, umbrellas (silk!) &c. I am fully aware of the consequences of perjury; but I am ready to make an affidavit, at any time, that I am not the individual who is thus unhappily afflicted with a moral delusion, which, while it enriches himself, makes his fellow creatures considerably poorer.

If any other form of declaration, statutory or otherwise, be needed in order to carry conviction upon this point to the minds of men—and women too, for I don't know why they should not read "Pen and Ink Sketches,"—I am prepared to have it administered in the most solemn form of law. Meanwhile

I remain,

Your obedient Servant,

THE LOUNGER.

Palgrave Place,

Temple Bar.

P.S.—Please ring the top bell three times.

PEN AND INK SKETCHES

IN CHANCERY.

No. 2.

I. Man, we are told, is a bundle of habits, and habit second nature; and as I am sauntering in the morning towards my daily haunts, I see a gentleman, not very tall, habited in a suit of black cloth—and so far as I recollect, he has for years worn a dress coat without the slightest variation in style—crossing Chancery Lane from the corner of Carey Street, where now stands the architecturally beautiful building (one of the most chaste in London) recently erected by the Union Bank, which, it is to be hoped, is but “the beginning of the end,” and that the precincts, hoary with age, and sated with decay, may yield to the pruning and improving hand of time. Already we may see the signs of the coming time in the elegant and commodious Chambers now com-

pleted at the corner of Cursitor Street, and upon the ruins of Boswell Court and the purlieus of Clement’s Inn is to rise the palatial Hall of Justice.

The mere mention of Cursitor Street carries one back in thought to plain John Scott,—too poor to study under a Special Pleader; reading half the night, and binding wet rags over his forehead to keep himself awake, and who, when Lord Chancellor Eldon, passing down Cursitor Street one day with his secretary, is reported to have said, “Here was my first perch; and many a time do I recollect coming down this street with sixpence in my hand to buy sprats for supper.” But he, like Lord Mansfield, passed rapidly from no business to Three Thousand a year. I have made a

slight digression, I know; but who could help it as recollections crowd? and for it I hope forgiveness will be extended towards me.

I recognise the gentleman to whom I have made reference. He is accompanied by a much younger man than he, whom I believe to be his son. They both, in quiet, affectionate conversation, pass beneath an arch on the left-hand side of the Lane. The old man who seems to have established a right by long user is preparing his apple-stall. Though it is yet "early in the morning," he is "blowing his cloud," but quickly hides his pipe in his hat, which he removes as the two gentlemen approach. They both acknowledge the salute; but the elder especially, with his natural gentleness and kindness, the true test of gentlemanliness, bends low, with a genuine *politesse de cœur*. They pass along the ill-paved courtyard, through the iron gateway, up the flight of stone steps, and enter the building. I follow them. A notice on the doorpost informs me that "All letters and parcels for the Master of the Rolls, ring the bell." As I don't come within the definition of a "letter" or a "parcel" (though I write a parcel of—well, no matter), I dispense with the

bell-ringing. I open a half-glass door on my right; I push aside a curtain, and the first object that meets my eye is the clock, which tells me there is yet twenty minutes to spare before ten, the time at which the business of the Court commences: I thus have leisure to make a few notes. The Usher, a busy man, rapid in his movements, who, since the recent order of Lord Chancellor Westbury, is not the only Usher who wears a white cravat, is industriously distributing quill pens and blotting paper neatly folded, for the use of the Registrar and Counsel. With the exception of his movements, there is a quiet, patriarchal kind of calm about this Court, as distinguished from the others. And one speciality immediately strikes the eye: it is not redolent with scarlet cloth, but the Registrar's table and seats for Counsel are covered with green. Here, too, the shorthand writers' box is provided with a cushioned seat, and the Usher is cared for in a like manner.

In a niche, over the canopy or sounding-board above the Judge's chair, is a statue of George the 1st, of "blessed memory," as I learn from an inscription cut in the stone pedestal on which the king (who

looks somewhat sleepy about the eyes) stands. Immediately opposite the Judge's chair, is a fine full-length portrait, in oil, by Sir Thomas Lawrence, of Sir William Grant, in his robes of office—the full-bottomed wig, the buckled shoes, the lace ruffles, and the exuberance of gold lace. Who can look upon that finely chiseled countenance and not be struck with the intellectual beauty and purity which beam forth from every feature? I raise my eyes and remark that, in this Court, and in no other in Chancery, there is a gallery. It is straight along the greater part of the front, with two semicircular ends, and is rather pleasing in its style. I never remember seeing it occupied, except by two ladies on a recent occasion when the case of the Bishop of Natal was being argued. I was informed that one of the occupants of the gallery was Miss Burdett Coutts, who, it is well known, contributed munificently to the Colonial Bishops' Fund; but as I am not sure that I ever saw Miss Burdett Coutts, whose name is as a household word in connection with so many great and good things, I cannot pledge myself to the accuracy of the statement.

But my musings are disturbed by

the striking of the clock which has just told Ten. The vibrations of the last stroke have not died away, but the Usher has cried — "Silence! Silence!" I now discover that, lost in my contemplations, I have not observed the Court fill with barristers, attorneys, and their clerks. All rise. There is a sound of feet traversing a paved antechamber; two gentlemen issue from a door on the left, which is thrown open, on each side of which one places himself. There is a rustling of silk; and immediately the Judge enters the Court. He walks slowly towards the raised dais, holding up the skirts of his robe on each side of him; he ascends a flight of steps with measured tread, and having reached his desk, he places both hands upon it and leans forward towards the Bar, the members of which are still standing; they bow also; and at scarcely a second past ten the Judge is ready to proceed with the day's business. No doubt, one of the most remarkable traits in the character of this Judge is his extreme punctuality; and his biographer, whoever he may happen to be, would fail to convey an adequate idea of the subject of his memoir if punctuality occupied a subordinate place. So rigid an ob-

server of punctuality is he, that I should imagine he exacts it in others; and that his secretary, like Washington's, if he excused himself for late attendance upon the ground of irregularity in the movements of his watch, would probably hear Washington's reply:—"Then you must get another watch, or I another secretary." I have met with people who thought it "shoppy" to be punctual; but I hold, with Louis XIV., that "punctuality is the politeness of kings."

If there should be a Judgment at the head of the day's paper, the Registrar announces "*Jones v. Robinson*, for Judgment;" and it would be no great disadvantage, certainly, if some of the Registrars were a little more stentorian than they appear to be. Should the Judgment be a written one, as it not unfrequently is in this branch of the Court of Chancery, the Judge sits a little on one side, so as to throw the light from the windows on the west upon the paper or book which he holds in his hand; and I have heard him remark, good humoredly, that he could not read his own writing, which having seen, it will I hope not be considered an unwarrantable disclosure to state is somewhat minute. At the conclusion

of the Judgment, the inevitable skirmish amongst the Counsel engaged in the case follows, and this has often struck me, as a man inexperienced in legal tactics, to be a struggle to extract from the Judge some remark which, duly recorded in shorthand, shall render nugatory the decision which has just been pronounced. If in this view I am at all accurate, it must need a large share of self-command, only to be acquired by long habitude, to escape the many traps which are thus ingeniously laid; for, frequently, some half-dozen learned gentlemen are speaking at once. Like everything else, this conflict at length comes to an end; not perhaps, without a violent effort on the part of the Judge, to keep his temper; and the Registrar (unable otherwise to discover it), having privately learned from the Judge what the result of the Babel of Tongues just closed is, reads aloud the title of the first cause in the paper; and the argument proceeds; of which the Judge takes copious notes, using a long lead pencil, pointed at each end for the purpose. When he has apprehended the facts and law, and clearly perceives the bearing of both, you may frequently know by his indulgence in a habit which consists

in leaning backward in his chair, and twirling his tortoise-shell eyeglass upon the black guard to which it is attached. But he still listens without manifesting the slightest impatience, though the eye tells you the process of reasoning, rather than of hearing, is going on in the innermost recesses of the mind; and his patience with a suitor having the proverbial "fool for a client," who in a rambling labyrinth of statement pleads his cause in person, has often struck me as very remarkable. I well remember him at the Bar practising before Vice-Chancellor Wigram; and can call to mind one occasion especially, on which he was arguing a case, and the Vice-Chancellor reminded him that only the day before, in another matter, he argued in an exactly contrary direction; but he received the observation with a smile; yielded to the soft impeachment; and proceeded, undisturbed, to enforce his client's claims. His practice at the Bar was extensive, both as a stuff and silk-gownsmen; and after receiving the usual preparatory professional honors, he was promoted to his present position on the Bench. Mr. Samuel Smiles has related an anecdote of a Judge who, when asked what contributed most to

success at the Bar, replied:—"Some succeed by great talent, some by high connections, some by miracle, but the majority by commencing without a shilling." The success of the subject of this sketch may fairly be attributed to a combination of the two first elements.—**LORD ROMILLY, MASTER OF THE ROLLS.**

II. The Queen's Counsel, who sits in the corner, at the end near the fireplace, is the first I shall notice. He often sits with a long quill pen in his mouth. He wears the wig very low upon his forehead, almost reaching his spectacles. This wig has a singularity about it: it is very high in front; it slopes rather abruptly backwards, and always gives you the impression that it has been pitched on hastily, perhaps as hastily as it is sometimes taken off; for I have heard that upon the last day of the Sittings preceding the Long Vacation, he has been known to remove it from his head and throw it to the extremity of his Chambers, with an exultant exclamation of thankfulness that he is at length able to take a holiday. When he rises to address the Court, you at once detect a peculiarity of some kind in movement and gesture.

You listen to the argument, and are convinced that the speaker is well up to his work. Should a point of practice come under discussion, you will not be long in discovering that this Counsel is a match for his opponent. You now scrutinise the speaker more closely ; you discover that he is somewhat lame, and that he labours under the disadvantage of not being able to use his right hand with freedom ; so that he writes with his left, and this he does with amazing facility, the calligraphy being exceedingly neat. It is not writing a word that is disparaging to state that he is not a brilliant genius like a Lyndhurst or a Brougham ; but when it is told that he (as did Lord St. Leonards) has risen from one of the very lowest positions in the office of a member of the legal profession, to become a Queen's Counsel, by overcoming the difficulties which nature and circumstance would seem to have piled Andes high in his way, the conclusion is irresistible, that the man must possess talents of no common order, and an amount of application, attention, and energy sufficient to remove mountains. The saying of Dr. Johnson :—" I never knew a man of merit neglected ; and it was generally by his own

fault if he failed of success," is not universally true as respects the Bar ; but, beyond all dispute, sooner or later, the merit of accuracy, method, punctuality and despatch will secure its own reward. As I am a great admirer of men who alone and unaided hew their own way with their own hatchet, I confess I should like to hear "the case of the plaintiff," rather than "the case o' the plaintiff;" and there are some other expressions of an elliptical character which in my very humble judgment might be rendered a little more elegant. It is gratifying to note that success with the subject of this sketch does not spoil him, as it too frequently does ; and that though he may have had everlastingly ringing in his ears, the words of the son of Sirach :—"Woe unto him that is faint-hearted;" and has achieved a position in the world which in earlier life, it may be, was beyond the confines of his hopes, he is still affable, kindly, and considerate towards all those with whom he is brought into association.—
MR. SOUTHGATE, Q.C.

III. I hardly know what to say in sketching the good-looking Queen's Counsel who, when not actually speaking, or reading the

Times, generally reclines in a careless manner, resting his elbow on the seat, and stretching his legs to the uttermost, so that the toes of his buttoned boots come in close contact with the knees of the solicitors and their clerks who are sitting below in what is termed the "Well." If the Counsel opposed to him is driving him hard upon a point, he throws his head back with a smile of apparent surprise; seems to have an uneasy lolling-place; and elevates the right foot only to dig his heel as far as he can into the cocoa-nut matting with which the floor of the Court is covered. Occasionally he will amuse himself by twisting off the feathered end of a quill pen. There is a rollicking kind of manner with him in all that he says and does. You are by no means surprised to learn that he is fond of boating and similar exercises, for he is a well-formed, well-knit, athletic man, and in the season, notwithstanding his immense practice and Parliamentary duties, he finds time to have a scratch-game at cricket in the grounds attached to his elegant country-house at Richmond, in Surrey. Nature must have endowed him with a large share of tact and talent; for when he rises to address the Court, he

appears to be able, without the slightest effort, to deal satisfactorily with all that his opponents have advanced, and to be ready with a complete answer. Should he be interrupted by the Counsel on the opposite side, he states he does not wonder that his learned friend should feel uncomfortable, with so very bad a case as his client's is, for he hasn't a leg to stand upon. I should fancy he seldom expects to be beaten; and this feeling may be induced by the fact that he frequently wins; but the proverbial "glorious uncertainty" of the law forbids the notion of either unvarying failure or success. The supply of each, like that of some water companies, is intermittent and not constant; but you may be sure that if he fails, the fates are against him. I call to mind a case at the moment, in which a member of the Bar recently figured as a defendant. The subject of this sketch appeared for the plaintiff. Before the case was called on, I overheard the Counsel for the defendant ask what would be the result. "Oh," was the reply, dashed off as though in the wide range of creation nothing admitted of less doubt, "we shall win in a canter!" The decision, however,

was very adverse to the plaintiff ; and if I recollect aright, the bill was dismissed with costs. I smile at a recollection of this case, and I may as well tell "the reason why." During the delivery of the Judgment, his Lordship had said he could not allow any appeal to him *ad misericordiam*. When the solicitors were tying up their papers, a clerk—"a young man from the country"—said, "We should appeal, but he says he won't allow it." The Counsel to whom this was said smiled, and replied :— "You have not understood his Lordship." Probably, the clerk had not read up to comply with the rules of the Incorporated Law Society enforcing preliminary, intermediate and final examinations. Whilst arguing a case, the learned gentleman I am describing frequently puts both hands into his trousers' pockets only to draw them rapidly forth and fold them behind him, until one is set at liberty, to beat the brief on the table before him with the forefinger. I have frequently had forced upon me the thought that if he had commenced "without a shilling," he would have made a greater splash in the Mare Magnum of Life. He is, however, the leader of the Court ; a Conserva-

tive in politics, and represents in the House of Commons the University of Cambridge.—Mr. SELWYN, Q.C., M.P.

IV. With what amazing rapidity do the words rush from the mouth of the next learned Counsel whose duty it is to address the Judge! So swift is the delivery, that if you listen with close attention and scrutiny, you detect that some of the words are dropped, as to portions of them. The power of language, the copious vocabulary of this speaker, must excite the marvel of all who hear him. But unlike most of those whose oratory is wondrous for speed, each sentence is properly constructed, and the whole speech might be printed, with few corrections, from the commencement to the close, if any system of shorthand writing ever was devised that enabled human hand to follow such a tongue. If it be not an impossibility, it must I feel convinced, be a very close neighbour ; because railway express travelling is a donkey's trot compared to it. I remember him well as a stuff-gownsmen, when he had one of the largest practices of any man at the Bar. Soon after he took silk, if my memory be accurate,

Mr. LLOYD, Q.C., who practised in this Court, was appointed Judge of the County Court of Gloucestershire. An opening was thus made, into which the subject of this sketch entered; and the opportunity furnished he has not neglected to improve: so that, at this day, he has a very extensive, and, apparently an increasing business. He is of middle height; somewhat pale, but cast in Herculean mould. He is kind, unassuming, and very deferential in his manner towards the Judge, but by no means disposed to yield a point if he thinks he can make anything of it. When very earnest, he leans upon his left hand, the palm of which rests on the edge of the table before him, whilst the fingers are bent underneath. He then stretches forth his right hand, pointing occasionally towards the Judge with his forefinger; and at other times pressing the forefinger and thumb together, whilst the remaining fingers are distended. This is a natural action, and is habitual with many speakers. Like myself, he is not getting younger, and Time, though it has not stolen away, but rather added to the intellectual graces of youth, is exerting its power. I perceive he has lately sought the aid of an

eyeglass, which he uses whilst he reads; but he is still comparatively young, and there are prizes to be gained, of which, I dare say, he is not less ambitious than others. "Ambition," says Lord Bacon, "makes a man active, earnest, full of alacrity, and stirring;" and with youth, talents, and energy on his side, it will not be surprising if he secure some. He has taken that step which has so often enabled a man to mount high in professional career—he has entered the House of Commons, and is M.P. for Hereford.—MR. BAGGALLAY, Q.C., M.P.

V. The last Queen's Counsel I shall notice here is he who sits on the opposite or western side of the Court. It is not very long since I heard the Judge, upon his taking silk, repeat the old formula—"Her Majesty having been pleased to appoint you one of her Counsel learned in the law, you will be pleased to take your seat within the Bar accordingly;" and then followed the usual piece of pantomime, which consists in the new Queen's Counsel facing the Judge and bowing; then turning sideways and bowing to the Queen's Counsel, who, upstanding, bow in return;

then turning his back to the Judge, he bows to the Stuff-Gownsmen or "Juniors" (many of them several years his senior), who, likewise standing, bow acknowledgments, all striving to look grave, but very few succeeding. To a bystander, unable to fathom mysteries, the notion comes unbidden to the mind, that these professional public courtesies would be more honored in the breach than in the observance. But they may possibly serve some useful end, and as their occasional occurrence relieves the dull monotony of Chancery proceedings, nobody, I dare say, is inclined to protest vehemently against them. It frequently happens that when a man becomes a Q.C. he has to wait some time before he gets into the full swing of practice. Not so, however, with the subject of this notice; for he at once shot ahead, and has continued to be actively engaged ever since. He is of middle height, slightly corpulent, with a remarkably bright and clear complexion; and there is a constant play of lightheartedness upon his countenance, which is almost invariably lighted up with a smile. The amount of business that he has already acquired is a practical proof that his talents are appreciated,

and he seems, already, to have established for himself a firm footing at the Rolls.—MR. JESSEL, Q.C.

VI. It is Petition-day, and the Court is crowded with members of the Bar whom you see on no other occasion. All the seats appropriated to Counsel are occupied; and learned gentlemen are in more senses than one treading upon each others' toes, and elbowing one another out of the way. The unopposed petitions are being rapidly disposed of; and I observe a tall gentleman pushing himself through the crowd. He is carrying a blue bag, apparently heavily laden, in his right hand, whilst in the other he holds a brief. When he sits down, he almost invariably places his hand across his mouth. Presently, the Registrar reads aloud—"*Re The Ramshackledom Improvement Commissioners.*" The tall Barrister rises: his features are somewhat large; his wig much discoloured. It, to all appearance, has been in his chambers for years, a prey to dust and smoke, instead of being carefully stowed away in a japanned case, or in one of those long upright deal boxes, some half-dozen of which you occasionally see slung across the shoulders of a little

man in the Strand, about half-past nine o'clock in the morning, as he hurries towards Westminster Hall. The stuff-gown of this "junior" by courtesy (though he is somewhat advanced in years, and his hair, bushy eyebrows, and whiskers are grey) has lost all its pristine brightness; and I am not sure that it does not betray a forgetfulness of a somewhat popular maxim about a stitch in time saving nine. When he addresses the Judge, he fixes his eyes, which, though small, are lively, and not without fire, upon him; and there is a firmness about the mouth. He is not without action. He points with his forefinger; and his open right hand is occasionally brought down upon the brief which he holds in his left. At other times the right arm is akimbo; and he sways his body backward and forward with the commencement and close of his sentences, which *prima facie* wear the aspect of being studied. You learn that the Ramshackledom Improvement Commissioners are a body of men whose improvements consist of demolitions and the laying waste of a large area upon which they intended to rebuild; but being about as well up in finance as some of their neighbours, they have failed to secure the "needful." His

words leave his mouth very deliberately; there is a long pause between each; and the delivery is marked by an absence of all style. He may be a very clever man; I have had little opportunity of judging, because he seldom appears in Court, though of course it is quite possible that his practice as a Chamber Counsel may be large. Solomon's wisdom may be his possession; but, assuredly, he is not a Cicero. We are none of us surprised that a Gladstone or a Bright should be popular with the masses, because each possesses the honeyed tongue; that marvellous gift of oratory, the charms of which few men can resist, as the thread of discourse is conducted like an endless chain of enchantment, or interwoven like a network of ornament. But that the subject of this sketch should be a popular leader, is one of those social contradictions that occasionally present themselves, baffling all attempts at solution. He altogether lacks the graces of style, and is not, never was, and never will be, an attractive speaker. I have said "never will be," not unmindful of the stories concerning Demosthenes and the pebbles, and Curran the "Orator Mum;" but then they commenced early, and not late in life.—MR. EDMOND BEALES, M.A.

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Pen and Ink Sketches in Chancery.

BY

A LOUNGER IN THE COURTS.

No. 3.

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CONCLUDING LINES.

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PEN AND INK SKETCHES IN CHANCERY.

BY

A LOUNGER IN THE COURTS.

No. 3.

“A note informs us that these ‘Pen and Ink Sketches in Chancery’ are to be continued. They are light, humorous, and sometimes too satirical for our own taste; but clearly they are the result of long observation, and are, what they profess to be, ‘Sketches’ from life.”—*Watchman*.

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PREFACE.

TO MY READERS—

I am deeply grateful for the many kind inquiries which have been made concerning me since I last appeared in print; though my landlady is by no means overflowing with thankfulness, seeing that, as she expressed herself: "Them Pen and Ink Sketchits in Chaney a ringin' at the bell 'as nearly drove me mad."

The delay in bringing out the present number has been thus caused. The severe mental strain necessitated by the compilation of No. 2, laid me on a bed of sickness, and my doctor ordered change of air; I suppose because he thought I could not get it, as that is the well-known principle

upon which members of the medical profession invariably proceed. But, as I correspond about once a year with my grandmother, who lives at Brighton and lets lodgings, it occurred to me that I might invite myself to spend a short time with her, which I accordingly did. And when my doctor found that I was about to do that which he prescribed, he was by no means anxious that I should go, but said, if I did, I must be sure to ride first-class. Well, the profits I have made out of these Sketches, enabled me to do even that.

The "good old times," as they are called, of mail-coaches have departed; and with them, I am afraid, some of the good old Eng-

lish manners. In these days, everybody seems to be perpetually at high pressure. The John Bull of 1867 is hard at work in thought when he is on his travels, and to extract a word from him, as he is whirled along on his journey, is almost as difficult as to draw goat's milk from bullock's liver. Some people lament the departure of the "good old times;" and, amongst them are a few elderly men, who, in their teens, had just entered upon the jaunty career of postboys when the iron horse drove them off the road, and made railway porters of them. Formerly, if we may believe what we hear and read, there was a vast deal more of sociability about your Englishman than you find now. My case, I have no doubt, is only a type of many. I took a first-class ticket by the twelve o'clock train for Brighton, and was the first to enter the carriage. Presently, a youngish gentleman came in, and sat himself beside me. He soon rose, however, and put his head and a third part of his body out of the window, whilst the skirts of his coat brushed off what dust there was upon my spectacles.

He hailed a passenger coming along the platform, who joined us. He was, no doubt, some retired Indian planter, who, having amassed a fortune, had come to England to spend it. At all events, I so thought. After a few words of greeting, the Indian planter seemed to have had enough of it; for he carefully wrapped his rug round his legs, and doggedly squeezed himself into the corner, at the very furthest distance he could get from his friend. The next passenger, I feel sure, had come from somewhere about Cornhill, perhaps an Insurance Office. He looked as though he had been in a hand-box all day, and had just been let out ready-gloved, with a very thin, consumptive, umbrella in hand. With this gentleman I tried once or twice to enter into conversation; but received only monosyllables in reply. I then tried my friend on my left, and started Fenianism even; but all I got out of him was, as though I had said it was not—"It's all humbug!" uttered in a kind of "Don't bother me" style; so I gave him up. I then looked at the other two passengers. One

was a man with a studious face and forehead. He brought a flat brown paper parcel into the carriage with him, which, the moment he sat down, he proceeded to untie. He then took from it a book, which he commenced reading, and being very near-sighted, his nose almost touched the pages, which he read with avidity to his journey's end. There was only one more passenger, and he sat in the opposite corner. He had evidently enough to do to comb, with his fingers, a pair of long, half-gray, half-sandy "Piccadilly weepers," so that I made no attack upon him, nor he upon anybody else. Thus it happened that I journeyed from London to Brighton without exchanging half-a-dozen words with my fellow beings; and this, I take it, is only a specimen of journeys made every day in these times of steam-engines and iron rails. What we shall come to after a while it is difficult to conceive; but as everybody says this is an age of progress, I shan't deny it.

My grandmother, I am happy to say, received me kindly; I

verily believe she was delighted to see me, and never failed to introduce me to all the other lodging-house keepers with whom she was acquainted—and they seemed to be legion—as her grandson, "a Horther from London." My grandmother's financial speculations were by no means bounded by lodgings. She had a fly of her own, and two horses, both rickety on the legs; but one was a clothes-horse, which latter, though "all the washing" was "put out" (as the advertisements for maids-of-all-work frequently state) was occasionally brought into use. I suppose the washing usually came home in the night, or when I happened to be absent; because, as my grandmother used to get me to make out her lodgers' bills, I am sure a good deal must have come in at some time or other, for the number of sheets, towels, table-napkins, &c., &c., the lodgers used, was next to incredible.

A few weeks' stay at Brighton has completely renovated me, and I am enabled to produce the present number, which, so far as this series is concerned, will be the last.

Though I am by no means of a mournful temperament, as I hope the *Lusigando* style of these productions sufficiently testifies, I adopt the motto on an undertaker's blind near King's Cross, which, translated, I find means "I shall rise again." I say, "I

shall rise again" in a more bulky form hereafter, and till then,

I remain,

Your obedient Servant,

THE LOUNGER.

Palsgrave Place,
Temple Bar.

PEN AND INK SKETCHES IN CHANCERY.

No. 3.

I. To-day I make up my mind that I will see what is going forward somewhere else. It has not escaped my observation that daily, from eleven a.m. till four p.m., crowds of persons ascend two much-worn stone steps about midway in Chancery Lane. They read with attention a printed list of about two hundred causes which is affixed on the left-hand side, and having done so, push open a door, which is ceaselessly on the swing, and pass in. Having become satisfied that this is some public department, and not any Englishman's home or castle, I at length summon resolution to enter on a tour of inspection, and proceed to carry it out. When I am inside, the first thing I see is darkness. By the aid of my hands, rather than of my eyes, I am made conscious that there is a staircase; I proceed to ascend, and find each side of it lined with expectants, awaiting

the arrival of somebody else, or of light; if the latter, their stay will be of considerable duration. However, I recollect some lines about the stars being made for man's counting and the hills for his mounting: and as I believe they were written to encourage us to persevere, I resolve to do so, and at length reach the landing, where locomotion is impeded by persons standing about in all directions. By means of an intense strain on the visual organs, I see there is a clock over my head. It is clearly not affixed for use, and I can only imagine that it may be, in a certain sense, for ornament, to hide some disfigurement in the wall behind it; for all the London Smashem and Over Company's gas lamps brought from Charing Cross Bridge—especially as the Gas Company seems to have cut off the connection—would not enable you to pierce through the

incrustations which years have gathered upon the glass and dial. Those who are accustomed to the place, however, are able to rush about readily. Some swing away to the right, some to the left, and others skip up stairs, two or three at a time. As I have no particular business anywhere, and am in a species of Chinese puzzle, I resolve to follow a gentleman who enters a waiting-room on the left. In this room at the further end, near the fire-place, there are a great many pigeon-holes, some wholly and others partly filled with papers. At the other end there is a low partition to keep off the profane and vulgar; and a species of wicket, behind which two gentlemen sit at desks, who, it must be owned, are remarkably civil, and ready to furnish every item of legitimate information. My leader having sat down at a table, and with a horrid quill-stump made some memoranda, proceeds to another room, into which I follow him. It is full to repletion with persons of all sizes and ages, packed as closely as sticks of asparagus in Covent-Garden bundles. There are about thirty in number, and the sitting accommodation consists of two chairs;

one of which has been seized by a small boy, and the other is monopolized by some half-dozen large red-morocco-covered and golden-lettered books which are to be used in a winding-up case, expected on at the latter end of the day. As I am somewhat slim and nimble, I squeeze myself into the front rank, and behind an oaken table I see a gentleman with a pleasant countenance sitting, holding a list before him, fastened together with other papers by a clip. From this list he reads the titles of the various causes, summonses in which have been taken out, returnable that day. They are principally applications for time to answer or complete evidence, and the story, which might be a simple one, told concisely, is rendered puzzlingly intricate by the floundering of youths who are entrusted with this kind of work to lick them into shape; and a man of a reflective turn of mind—which I am not—would come to the conclusion, sometimes, that if this is the raw material out of which our great lawyers are made, the moulding and polishing machinery must be powerful indeed. At other times, however, the

grounds of the application are stated with a clearness and sequence of which even a Sir Richard Bethell would not be ashamed.

By noon, it may be, the half-past 11 o'clock summonses are reached; but as, judging from experience elsewhere, few expected them on so early, a great many are unattended. The gentleman—the “learned gentleman” the *Standard* calls him—reads the list rapidly: “*Smith v. Brown* ;” “*Black v. White* ;” “*Bumble v. Beadle* ;” “*Hornet v. Wasp* ;” “*Oldbuck v. Younghusband* ;” “*Gibbet v. Ketch* .” Nobody answers, or perhaps only one side; and the summonses, therefore, stand over. Presently, the gentleman reads aloud—“*Re The Royal Cheatingham Deposit Bank, Mutual Defence, Self-Education, Casualty, Sick, and Relief Fund Association (Limited)* .” “Here!” cries a voice; and quickly Mr. Flight (of the firm of Highty, Tightly and Flight) elbows his way to the table. The red-morocco-covered and golden-lettered books I have before noticed, have reference to this case. Mr. Flight produces from a bag some half-dozen calf-bound, orthodox-looking law

books, and a bundle of papers bound together with red tape. These papers he unties; and having taken one in true professional style by the left-hand corner, he turns back a few sheets of it, for the mere fun of the thing I suppose, because he does not read a word; but lays the open brief down upon the table before him. As I am standing near, and am of an inquisitive turn of mind, I cast my eye upon the sheet, which I find contains a copy of the prospectus, headed by a long array of Directors, amongst whom are two “M. P.’s,” one “Admiral,” three “Lieutenant Colonels,” and a “Rev.” The Company is stated to be formed, *inter alia*, to purchase the long-established and flourishing business of the old Cheatingham Bank for the very inadequate sum of One Hundred Thousand Pounds; to turn it into a limited Company, with shares of Ten shillings each, in order to secure a large body of responsible shareholders; to guard the unwary from plunder, and enable every man and woman in the world possessed of a five-pound note, to open a drawing account, and indulge in the luxury of signing cheques for the greengrocer

and the tallyman; to receive on deposit sums as low as sixpence, thus benefiting the bone and sinew of the nation, represented by the working-classes, and making it quite possible to realize undoubted security, together with interest at the rate of twenty per cent. per annum! A little later on the prospectus became luxuriantly flowery; and, as I copied the passage, I thought I could detect the composition of the "Rev." gentleman. It ran thus: "The rock on which this bank stands has existed from the time when the world sprang forth from chaos, but it has been reserved for discovery by this Company; and though empires may be upheaved amid the throes of revolutions, the Royal Cheatingham Deposit Bank, Mutual Defence, Self-Education, Casualty, Sick, and Relief Fund Association, Limited, will remain steadfast, unmoved, and immovable." What "working-man" could fail to come in when the invitation was so grandiloquently and dazzlingly worded? But marvel of marvels! The Royal Cheatingham Bank, after a short-lived career of six months, was ordered by the inexorable Court of Chancery to be wound-up com-

pulsorily! So willed unrelenting Fate!

The Articles of Association, which few do, but all should, read, provided with a laudable self-abnegation, that at no time should the remuneration of the directors exceed £1,000 per annum each, and that for the first twelve months it should be as low as £500. The further provision was also made, that no vacancy should occur in the Board except by resignation, or the lamentable event occurring of one of the members of it departing this life—it is devoutly to be hoped, in peace. No doubt this clause was inserted owing to the difficulty so often experienced of finding a gentleman ready and willing to accept a post which shareholders are constantly informed is beset by crushing responsibilities. Inestimable men! Promoters of domestic peace! Your virtuous self-denial has been cast as pearls before swine! But the "Rev." has doubtless consoled you and himself in homiletics overflowing with assurance, that though lost in the labyrinths of history, you shall not fail of your reward in the coming hereafter! Born to blush(?), and be but little seen here, you shall

not for ever—no, not for ever—waste your sweetness on the desert air!

Mr. Flight proceeded to say that he represented the official liquidators, and that the object of his present application was to obtain a decision in a matter of some perplexity. In investigating the Company's affairs it had been found that when the bank closed its doors, there was a sum of sixpence which had been placed on deposit, standing in the name of William Softhead. It had, however, been claimed by John Softhead, who was the father of William Softhead, a minor; and the official liquidators did not know what course to pursue. Mr. Flight, who was evidently well primed for the occasion, and had swallowed a good deal about "John Doe and Richard Roe," of long and profitable legal memory, referred to the well-known work by Lark and Funnyman on banking, where reference was made to a case, not elsewhere reported, of *Grumble v. Snap*, in which it had been held in similar circumstances, that the money might be paid to the parent. But in *Botch v. Scotch*, 2 Slowman's Reports, p. 275, Lord Stopham gave judg-

ment in a diametrically opposite direction, and like conflicting decisions are by no means rare, even in these enlightened days.

At this stage the official liquidator chimed in, and said he and his colleague—there being two for so important a liquidation—had investigated the matter, and they thought it would be desirable, in order to avoid further expense, to come to a compromise by the payment of fourpence, taking the joint receipt of father and son. This course, after considerable discussion, having been sanctioned, Mr. Flight and the liquidator left, followed by two clerks, who, having during the discussion performed the arduous duty of looking on, now hurried away with the books and papers; and the liquidator, for the express purpose of saving expense, no doubt, travelled first-class to Cheatingham that night at the cost of the estate.

The other summonses were then called on and rapidly disposed of; but in *Spooney v. Lipper*, a somewhat amusing comedy occurred. A very young gentleman attended it, and so far as his statement enabled me to get at anything, I gathered that he wanted to adduce evidence on the part of some hy-

pothetical co-defendant, not upon the record. He was asked where was his *locus standi*. In reply, he searched nervously amongst his papers, and at length said, he was afraid he had left it at the office (a titter); but if the summons were adjourned, he would bring it on the following day, which he was directed to do; and he departed, amidst the laughter of those present, no doubt to encounter the jeer of his fellow clerks, and commendation from his principal for the sagacity which he had displayed in such trying circumstances. At four o'clock, I left the room in company with a benign-looking elderly gentleman, wearing a white cravat, whom everybody seemed to know and like to chat with. When we were outside, I asked him what room it was that we had been in. He told me that it was one of the Chambers of the Master of the Rolls. I could not help thinking of Mr. ARTHUR SKETCHLEY'S "Mrs. Brown at the Play." That unsophisticated old lady when told by the young woman that it was "Queen Victoria's own The-a-tre," said, "Then, if I was Queen Wictoria, I'd have a better." I replied, "Were I the Master of the Rolls,

I would have better Chambers." "Yes," said the gentleman, in a pleasant oily voice; "and so would I. Whilst millions are squandered in Admiralty jobs, a Snider is refused justice, and officers of the High Court of Chancery are condemned to daily imprisonment in these cribbed and cabined dens. It's scandalous, Sir!" Two or three young clerks who heard the gentleman commence his speech, waited the conclusion, and joyously chorused: "Well done, Mr. Johnson, right you are!" and shot down stairs to make for their several offices, where, I dare say, they noted up their daily entries, and despatched a dozen letters by that evening's post. I asked my informant who the gentleman was that had been attending to the business in the room we had quitted, and was told that he was one of the chief clerks—Mr. E. B. CHURCH.

II. I go to Court this morning. I have passed through the opening in the grim-looking, dingy, leaden-coloured, rusty, iron-bound gates that close the archway in Chancery Lane, and which are opened occasionally to admit a coal van, in order that its contents may be

emptied for the lawful use of some occupant of a third floor in the Inn, and the unlawful use of his laundress or charwoman. "But there! it all makes good for trade," she says; and, as there is no denying this proposition, it may be left to the curious and cantankerous to dispute if they please. Besides, the old lady adds, there are no perquisites, not even candle ends; for when they get too short for the candle-stick, Mr. Jones sticks them on the top of a halfpenny and burns them down till they go out without snuffing; and if, as she sometimes does, she should forget to return the halfpenny, Mr. Jones is sure to ask her for it. I cross over and follow a species of colonnade round a low pile of building, which always reminds me more of a market-house than anything else. I pass under a low archway, there is a door on the left, and I believe a name upon it; and although I have walked by it thousands of times in the course of my daily wanderings, I never saw a living soul enter or emerge. Still I imagine a human being or beings must, because the outer door is sometimes open and sometimes closed. I have been sorely tempted to open the inner door

and explore the mysterious interior; but I am happy to state that a due sense of propriety has hitherto restrained an unpardonable curiosity, the gratifying of which might, for aught I know, in some way or other, issue in precipitate retreat. I continue till I reach the last door on the right, near the corner where I get a good view of Lincoln's Inn Hall. Presently, a neat brougham, drawn by a high-stepper, comes along at a rattling pace; a liveried servant leaps from the driving box, and there emerges a tall, well-made man with finely-moulded limbs, and a good, regular countenance wearing a slightly broad-brimmed hat. He enters a door opened by some one from within and is lost to my view. I pass into the Court. There is a curtain, which I presume was at one time scarlet, but the brightness of "other days is faded," drawn across the southern extremity; and all who go in or come out must pull it or push it on one side. This not unfrequently leads to a species of scuffle between two individuals bent on going different ways in a hurry, one in and the other out, and who have, on each side of the curtain, grasped the other's hand, without being in-

timate or intending to be friendly. I observe, that in this Court, as a unique luxury, you can catch a glimpse of external nature as evidenced by branches of trees which overhang the green-sward around the Hall. Another speciality is the profusion of oak wainscoting lining the interior, and the castellated carved canopy above the Judge's chair. A good-natured looking man is deliberately placing papers in position on a desk below. Though it is Midsummer, he has his surtout-coat buttoned closely; but then it enables him to display to greater advantage that handsome full-blown *Gloire de Dijon* rose in his button-hole; and if he be without one, you may be sure that there is "something rotten in the state of"—Roses. Should you have one in your own coat—I am sometimes extravagant enough to pay a penny for one at a seed shop at the corner of "our court"—and it is of a kind of which he has none, he will ask you every particular concerning it; its name, where it was purchased, &c., &c., and will make a note of it in his pocket-book; stating at the same time, that he means to procure it, and add it to the many he already possesses. He leaves you,

and passes into the Judge's private room, soon to re-appear with his usual "Hish!—Hish!" and the Judge enters the Court, three-cornered hat in hand; walks rapidly to his seat, bows, and sits down. He has not a secretaire before him as have the other Judges; and he alone wears small clothes, black silk stockings, and gold-buckled, polished leather shoes. During the arguments of counsel, he does not make notes in a book, that I perceive, but sits with a sheet of gold-edged paper in his left hand, upon which he writes, the paper resting on his knee, which serves the purpose of a desk. Now that that able Judge, Lord Justice Knight Bruce, has departed from amongst men, this Vice-Chancellor is the only Judge in Chancery who indulges in a joke. His Honor occasionally does so; and I am by no means disposed to believe that by so doing dignity or decorum is outraged. He seems always desirous to avoid waste of time in arguing a proposition when he is with Counsel upon it, and to be determined, so far as in him lies, to prevent useless and expensive litigation; and upon this subject I have often heard him express himself very

strongly. He was a member of Parliament for Newark, from January 1846 to July 1852; and for Bury St. Edmunds from 1852 until, upon the decease of Sir James Parker, he was promoted to his present position on the Bench; and he now sits as a Judge in that Court where, as a youthful intellectual athlete, he entered the arena with such competitors as Pepys, Sugden, Horne, Knight-Bruce, and a host of formidable combatants. By an order of the Lord Chancellor, all appeals from the County Court, under the Equitable Jurisdiction Act, are brought to him for final determination. He very rapidly disposes of his business; and there is no doubt is actively desirous to do speedy, and not tardy, justice between litigants. He rises at three o'clock, in order to attend personally to matters requiring his consideration in Chambers; and his last act for the day is a somewhat rapid rising from his seat, saying at the same time, with a slightly northern accent, to the Counsel addressing him—"Mr. So and So, I will hear you to-morrow, for I am obliged to go to Chambers:"—SIR JOHN STUART, VICE-CHANCELLOR.

III. The first Counsel who addresses the Court is he who, before the Judge entered, was standing with his arms resting upon the top of the partition on the back of the seat appropriated to Queen's Counsel, chatting and joking with the juniors. Occasionally he raised one of his large pile of briefs, read the title of it, put his glass in his eye, looked all round the Court, and found, by inquiry of everybody, who was with him in it, and who was his opponent. He is rather stout; on the further side of fifty I should say, but youthful in appearance and manner. I have heard it said when a man talked away, giving no sign that he would ever be wound up, that he "could talk a horse's hind leg off." Hind leg! why he could talk off all four legs, and make mince-meat of the body. Only pay him so much a yard, and see how soon he will run out a mile for you; and the talk is not a mere bag of wind, but versatile, vigorous, and replete with pertinence. The same thing goes on the whole day through; for he is in every case, and when Counsel on the other side are speaking, he manages to slip away and talk at the same rate in one of the Courts

of Appeal, only to return just when he is wanted, which he learns by means of his clerk, who keeps up a constant communication between the two Courts, and telegraphs the result of each journey of observation on slips of paper placed before the speaker. With the facts, figures and dates of case after case, he seems to be equally familiar; and as it appears to me an utter impossibility for him to read through the mass of paper brought to his chambers daily, I come to the conclusion that, to a certain extent following the example of "Mr. Stryver," he has not only one "Sydney Carton," but half a dozen. I thus conclude, because man's powers even of reading have a limit, and if the subject of this notice were as little addicted to sleep as Argus himself, he could not, as I conceive, read the huge mass of briefs and documents which in a continuous stream are laid upon his table. I do not know that there is anything peculiar in his style or action. He occasionally crosses his right leg over the left, and brings the palm of the right hand plump down upon the back of the book which stands edgewise on the table before him. He not

unfrequently, whilst in the same position, places his eye-glass in his eye, looks forward to the Judge, and puts his right hand behind him. Such was the Conservative, honorable member, representing the free, independent, and enlightened electors of Walingford, but who, as one of those who have been promoted during the present Administration—it is said in fulfilment of a pledge given by Lord Derby when he was last at the head of Her Majesty's Government, is now:—SIR RICHARD MALINS, VICE CHANCELLOR.

IV. I have noticed a Queen's Counsel who, whilst another is in possession of the Court, sits generally cross-legged and slightly recumbent in posture. He now and then takes a pinch of snuff, and at intervals turns his head half round to make a witty remark to a Counsel behind him. There is a quiet, cynical jocoseness about his eyes, which are frequently semi-closed, and a smile of waggish mirth plays round the corners of the mouth. I have observed him for years, and I am not sure that during the whole course of that time I ever saw him reading

his briefs, except, of course, when he is addressing the Judge, and it is necessary to call attention to passages in the pleadings. His papers are before him, tied up as they left his chambers in the morning. When the Registrar has called the cause which he has to open, he rises very deliberately, and proceeds as slowly, with the right hand only at first, to untie a bundle of papers, at the same time, without looking at them, stating the general features of the case. He speaks with much accuracy; platitudes are scorned, and I dare say he believes, as I should think Lord Westbury did when at the bar, that it is well to keep in mind the truism contained in the lines:—

“Learn to speak slow; all other graces
Will follow in their proper places.”

For solid argument, cogency and clearness of reasoning, never homonymous, and variety of information, gathered from varied and careful reading, I fancy no man in the profession surpasses him; and his mind, as a bookman, is as highly cultivated as that of any who actively follow the vocation of a barrister. Like most men of taste, I should say he was an admirer of Shakspeare; at all

events he has a quotation from him who is said to rule the world of intellect always ready at hand. And, although they do not often take poetic licence in Chancery, recently, in a light and air case, in which witnesses, after gauge and measurement, had attempted to prove the exact degrees of light that would be obstructed by a new building, the following quotation from Hudibras was exceedingly happy. He likened those witnesses to the philosopher, of whom Hudibras, in Canto I., says,—

“In Mathematics he was greater
Than Tycho Brahe or Erra Pater;
For he by Geometric scale,
Could take the size of pots of ale:
Resolve by sines and tangents straight,
If bread or butter wanted weight.”

In arguing a case, he never over-lays it with a mass of verbiage; he speaks to the point, and does not suffer himself to be betrayed into a wide divergence from it. When, at times, he is a little earnest, and desires to lead the mind of the Judge to a particular view of some question, he removes his spectacles, leans slightly forward, and holding the ends of the spectacles between the finger and thumb of the right hand, raps the table before him with the steel

rim of the glasses. He seldom interrupts an adversary; and if he be himself interrupted, in a quiet, gentlemanly, but telling way, he administers a rebuke. That he is an able man is admitted on all hands; and, as an able man, it is not surprising that his practice is, and has for years been, extensive:—MR. BACON, Q.C.

V. The last Queen's Counsel I have noticed having resumed his seat, he is followed by another, who, clearly, has discovered perpetual motion, for he does not keep in one position for two seconds consecutively. There is a jerkiness about his action and his diction too; so much is this the case as regards his movements, that his robe, which should be across his shoulders, is almost invariably slung at his elbows; and if made to resume the shoulder, is quickly at the elbow again. He is tall, rather slight in build, with somewhat large and bushy black whiskers, and he not unfrequently leans backward, resting his two elbows on the top of the partition behind him, looking bang at the Judge the while. He is never at a loss for words, and

with the exception of what I have termed a "jerkiness," they flow away like water from a pump, following the action of the sucker as the handle is plied. He is fond of a good, round, Latin quotation, which he gives you in dashing style; and he habitually asks a question, and answers it himself by saying—"Not a bit of it!" To my ears, also, there is a marked peculiarity in his pronounciation of the word "Messieurs." As nearly as I can convey it by letters, it is this—"Meshyuce." Of course, it may be peculiarly accurate, but that is a philological inquiry upon which I do not presume to enter. He sometimes comes rushing into Court in a hurry soon after the opening of a case, nearly upsetting in his haste—not by design, for I believe him to be one of the most kind-hearted of men—half-a-dozen barristers' boys, who are oblivious to all but the—to them—agreeable occupation of sucking oranges, or firing, vigorously, paper marbles at each other, some of which, occasionally missing their mark, hit a melancholy suitor in the eye, to the evident delight of the aforesaid boys, who retire to the back of the Court

and give unrestrained vent to their mutual jubilations. These frequently travel beyond the point where, in the opinion of the ushers, decorum and dignity extend, and the result is a species of Fenian raid upon a small scale, in which the rebels are dislodged and dismissed from Her Majesty's High Court of Chancery, to return again by stealth a few moments afterwards. This Counsel has not the least pride, and is altogether a jolly sort of fellow. An *on dit* concerning him has lately been current in the Court, the accuracy of which the reader may if it so please him, take the pains to inquire into. He has recently been returned as Member of Parliament for Colchester. The fable is that, during his canvass, he waited upon an elector, and gave an order for the man to make him two trunks, at the same time handing his card. "Oh," said the man when he had read it, "I am not a trunk maker." "What are you then?" inquired the candidate, "I'm an undertaker," was the answer. "Very well, then," said the embryo statesman, "make me a coffin instead;" and he left. When he returned home, as the story goes, he told

his *cara sposa* what he had done; and that she might expect his coffin in a few days. Of course, the lady refused to give so interesting a *memento mori* house room. "Never mind," rejoined the learned gentleman, "I'll have it sent to my chambers; it will serve as a fit receptacle for Beavan's Reports." As I have said, this is a matter of gossip, and no doubt is altogether void of foundation. But the story has gained currency; and I have heard a hearty laugh over it on several occasions. He is the sort of man of whom you may safely predicate that by this means, that, or the other, he will assuredly go ahead. Indeed, to reproduce Mr. Bung's expressive language, he is so constituted that he must swim, and if he were to "dive under one side of a barge stark naked, he would come up on the other with a newsuit of clothes on, and a ticket for soup in the waistcoat pocket:"—MR. KARSLAKE, Q.C., M.P.

VI. Upon the return of the Vice-Chancellor from the mid-day adjournment, a lady whom I had observed placing herself in position in front of the Queen's Counsel,

proceeds to address his Honor, She is "five-and-twenty turned," certainly: but upon the ground of a lady's age, at a certain time of life, I tread lightly. She is very dark-complexioned; her hair is—or was—jet-black, and waves over her forehead. Her means are no doubt slender; but she is never untidy, and her speech has nothing of vulgarity or coarseness about it. Her voice is mild in tone; and although she is persistent and sometimes angry, it never rises to a brawling pitch. This is more than can be said of some other lady suitors in Chancery, who from dwelling long upon the one idea of wrongs, or supposed wrongs, inflicted upon them, have gone off the rails and apparently lost their mental balance. The lady holds a paper in one hand, and a reticule in the other, and desires to hand something to the Judge, who, of course, declines to receive it until he has heard the nature of the application. As most people would anticipate, the application is of the most irregular kind, it being in truth in the nature of

a motion, and it is not motion day; is not made *ex parte*, and no notice has been given to the person sought to be affected by it. These defects the Judge clearly points out to the lady, who, however, turns a deaf ear to all that is said to her, and insists upon her right to be heard, until the patience of Judge is entirely exhausted, and he is compelled, peremptorily, to order the applicant to cease talking, that he may proceed with the regular business of the Court. When this climax is reached, the lady is silenced, and she leaves the Court, only to repeat a like fruitless attempt on a future occasion:—MISS FRAY.

Farewell, my friends, a short farewell,
On this first day of Easter Term.
Some other things I have to tell,
What you have read is but the germ.

I must, indeed, have miss'd my mark,
If I have caus'd one moment's pain.
Soon shall be heard, if you but hark,—
"The Lounger is himself again!"

The curtain falls—once more 'twill rise;
The play is in rehearsal now:
The characters you may surmise—
"Exit!" I hear, and make my bow.

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